



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONS 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

22 DEC 2005

DE-9J

Jodi Acheson
Republic Services of Wisconsin
Mallard Ridge Landfill
W 8470 State Road 11
Delavan, Wisconsin 53115

Re: Off-Site Rule Acceptability Determination
Kestrel Hawk Recycling & Disposal Facility
WDNR #0572

Dear Ms. Acheson:

This letter is in reply to the December 8, 2005 letter to Mr. William Damico regarding the Kestrel Hawk Recycling & Disposal Facility request for off-site rule acceptability.

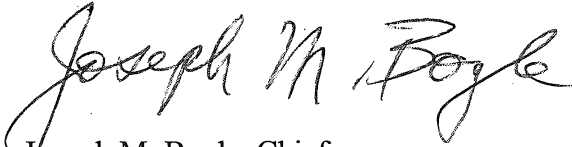
Pursuant to 40 C.F.R. § 300.440 (b), my staff has determined that no relevant violations or releases currently exist at Kestrel Hawk Recycling & Disposal Facility. Therefore, Kestrel Hawk Recycling & Disposal Facility located 1989 Oakes Road, Racine, Wisconsin is acceptable to receive non-hazardous wastes from CERCLA sites at the cells which meet the minimum technology requirements for subtitle-D landfills.

The acceptability determination is based on the assumption that only non-hazardous waste for which Kestrel Hawk Recycling & Disposal Facility is properly permitted will be shipped to this facility. It is your responsibility to review any proposed waste streams for compliance with the permits for your facility.

Please note that this determination is based on the available information at the time of the review. Your status could be changed any time relevant information becomes available according to the procedures in 40 C.F.R. § 300.440 (d). Generators who need to use a currently acceptable facility should verify the current acceptability of any facilities they wish to use with the appropriate Regional Off-Site Rule Coordinator(s).

If you have questions, please contact Mr. Damico at (312) 353-8207, United States Environmental Protection Agency, Region 5 – DE-9J, 77 W. Jackson Boulevard, Chicago, Illinois 60604.

Sincerely,

A handwritten signature in cursive script that reads "Joseph M. Boyle". The signature is written in dark ink and is positioned above the printed name and title.

Joseph M. Boyle, Chief
Enforcement and Compliance Assurance Branch
Waste, Pesticides and Toxics Division

cc: Michael C. Ettner, General Manager, Kestrel Hawk Recycling & Disposal Facility
Mike Ellenbecker, Wisconsin Department of Natural Resources, Sturtevant Office